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JUL 28 2015

CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA
BY **REDACTED FOR DEPUTY**
PUBLIC DISCLOSURE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

CR-15-924-PHX-GMS (DKD)

United States of America,

Plaintiff,

VS.

1. Parris Frazier,
(Counts 1 and 2)
2. Robert Deatherage
(Count 1)
3. Erik Foster,
(Count 1)

Defendants.

INDICTMENT

VIO: 21 U.S.C. § 846
(Conspiracy to Possess with Intent to
Distribute Cocaine, a Controlled
Substance)
Count 1

18 U.S.C. § 924(c)(1)(A)(i)
(Possession of a Firearm in
Furtherance of a Drug Trafficking
Offense)
Count 2

18 U.S.C. §§ 981 and 924(d)
21 U.S.C. §§ 853 and 881, and
28 U.S.C. § 2461(c)
(Forfeiture Allegations)

THE GRAND JURY CHARGES:

COUNT 1

Beginning on or about February 11, 2015, and continuing until on or about July 22, 2015, in the District of Arizona, defendants PARRIS FRAZIER, ROBERT DEATHERAGE, and ERIK FOSTER, and others known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate, and agree together, to possess with the intent to distribute five kilograms or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(ii)(II).

1 All in violation of Title 21, United States Code, Section 846.

2 **COUNT 2**

3 On or about July 22, 2015, in the District of Arizona and elsewhere, defendant,
4 PARRIS FRAZIER, did knowingly possess a firearm, Springfield Armory XD-45 ACP
5 SN XD694265, in furtherance of a drug trafficking crime, that is, Conspiracy with Intent
6 to Distribute Cocaine, as alleged in Count 1 of this Indictment, a felony prosecutable in a
7 Court of the United States.

8 In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

9 **FORFEITURE ALLEGATIONS**

10 The Grand Jury realleges and incorporates the allegations of Counts 1 and 2 of this
11 Indictment, which are incorporated by reference as though fully set forth herein.

12 Pursuant to Title 18, United States Code, Section 924(d) and 981, Title 21, United
13 States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c),
14 and upon conviction of one or more of the offense alleged Counts 1 and 2 of this
15 Indictment, the defendants shall forfeit to the United States of America all right, title, and
16 interest in (a) any property constituting, or derived from, proceeds obtained, directly or
17 indirectly, as the result of the offense, and (b) any of the defendant's property used, or
18 intended to be used, or intended to be used, in any manner or part, to commit, or to
19 facilitate the commission of, such offense as to which property the defendants are jointly
20 and severally liable, including, but not limited to the following property involved and
21 used in the offense:

22 1. Springfield Armory XD-45 ACP SN XD694265

23 If any of the above-described forfeitable property, as a result of any act or
24 omission of the defendant:

25 (1) cannot be located upon the exercise of due diligence,
26 (2) has been transferred or sold to, or deposited with, a third party,
27 (3) has been placed beyond the jurisdiction of the court,

1 (4) has been substantially diminished in value, or

2 (5) has been commingled with other property which cannot be divided
3 without difficulty;

4 it is the intent of the United States to seek forfeiture of any other property of said
5 defendant(s) up to the value of the above-described forfeitable property, pursuant to 21
6 U.S.C. Section 853(p).

7 All in accordance with Title 18, United States Code, Section 924(d) and 981, Title
8 21, United States Code, Sections 853 and 881, Title 28, United States Code, Section
9 2461(c) and Rule 32.2, Federal Rules of Criminal Procedure.

10 A TRUE BILL

11 /s/

12 FOREPERSON OF THE GRAND JURY
13 Date: July 28, 2015

14
15 JOHN S. LEONARDO
16 United States Attorney
17 District of Arizona

18 /s/
19 LISA E. JENNIS
20 Assistant U.S. Attorney

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